

8.3.05

JPW  
\$



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/631,075

Examiner: Jason Y. Pang

Filing Date: 7/31/03

Art Unit: 3725

Applicant: Raymond Burynski, et al.

Title: Vertical Roller Mill with Improved Hydro-Pneumatic Loading System

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

This is in response to the Office Action mailed February 2, 2005 relating to the above-referenced patent application.

In response to the Office Action, please enter the following remarks:

**Request for a Clarification:**

The Office Action is in the nature of a restriction requirement. However, on the Office Action Summary sheet, Item No. 6 is checked, indicating that Claims 1 – 17 are rejected. Item No. 8 indicating that the same claims are subject to a restriction and/or election requirement has not been checked. No rejection has been set forth in the body of the Office Action.

**Applicants Election:**

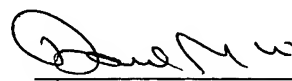
Applicants elect to prosecute the single disclosed species of Species 1, drawn to figures 4 and 5.

With regard to the requirements to elect a single subspecies for the limiter, Applicants elect subspecies 1A, drawn to a movable piston limiter.

---

**CERTIFICATION UNDER 37 CFR 1.136(a)**

I hereby certify that this Response and any documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, 2 August 2005, in an envelope as "Express Mail Post Office to Addressee", Mailing Label Number ED231057460 US, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Daniel DeJoseph

With regard to the requirement to elect a single subspecies for the medium, Applicants elect subspecies 1D, drawn to an inert gas energy absorbing medium.

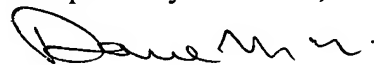
With regard to the requirement to elect a single disclosed subspecies for the "accumulator side", Applicants elect subspecies 1F, drawn to an accumulator connected to the piston side.

With regard to a listing on all claims readable on the various subspecies, same is set forth in the following "Chart", which is self-explanatory.

Claim	Subspecies 1A; 1B; 1C	Subspecies 1D; 1E	Subspecies 1F; 1G
1	Generic	Generic	N/A
2	Specific to 1A	Generic	N/A
3	Specific to 1B	Generic	N/A
4	Specific to 1C	Generic	N/A
5	Generic	Specific to 1D	N/A
6	Generic	Specific to 1D	N/A
7	Generic	Specific to 1E	N/A
8	Specific to 1A	Generic	N/A
9	Specific to 1A	Generic	N/A
10	Generic	Generic	N/A
11	Generic	Generic	N/A
12	Generic	Generic	Generic
13	Generic	Generic	Specific to 1F
14	Generic	Generic	Specific to 1G

The election of the various subspecies is done with traverse, as any comprehensive search would clearly cover all the various embodiments. As further noted, there clearly are generic claims that cover one or more subspecies.

Respectfully submitted,



Date: 2 August 2005

Daniel DeJoseph  
Registration No. 28,007

2040 Avenue C  
Bethlehem, PA 18017-2188  
Phone: (610) 264-6555  
Facsimile: (610) 264-6761